

**Hearing Date: August 14, 2012 at 10 a.m. (EST)**  
**Objection Deadline: August 7, 2012 at 4:00 p.m. (EST)**

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Residential Capital, LLC, et al.,

Debtors.

Chapter 11  
Case No. 12-12020 (MG)  
Jointly Administered  
Re: Debtor GMAC Mortgage LLC

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**NOTICE OF HEARING ON MOTION BY THE PEOPLE  
OF THE STATE OF NEW YORK FOR ORDER DETERMINING  
EXEMPTION FROM THE AUTOMATIC STAY AS TO  
GMAC MORTGAGE LLC PURSUANT TO 11 U.S.C. § 362(b)(4)**

PLEASE TAKE NOTICE that a hearing will be held on the 14<sup>th</sup> day of August, 2012, at 10:00 a.m., or as soon thereafter as counsel may be heard, on the motion by the People of the State of New York, by Eric T. Schneiderman, the Attorney General of the State of New York, upon the Motion and Declaration of Victoria L. Safran dated July 24, 2012 and the accompanying memorandum of law, before the Honorable Martin Glenn, United States Bankruptcy Judge, at the United States Bankruptcy Court, Southern District of New York, Courtroom 501, One Bowling Green, New York, New York 10004 for an order: (a) determining that the civil litigation now pending in the Supreme Court, Nassau County, *State of New York v.*

*Empire Property Solutions, LLC et al.* (Index No. 09-017767), is exempt, pursuant to section 362(b)(4) of the Bankruptcy Code, from the automatic stay; (b) alternatively, in the event the Bankruptcy Court holds that the automatic stay applies, granting relief from the stay pursuant to section 362(d)(1) of the Bankruptcy Code; or (c) alternatively, in the event the Court holds that the stay applies and that relief from the stay is not warranted, determining that the automatic stay operates to stay the pending civil action only as it applies to the debtor, GMAC Mortgage, LLC ("GMAC"), and not as it applies to the remaining parties in the state action.

**PLEASE TAKE FURTHER NOTICE** that any responses or objections to the Motion must be in writing; shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court; and shall be filed electronically with the Court by registered users of the Bankruptcy Court's case filing system in accordance with General Order M-399 (General Order M-399 and the user's manual for the Electronic Case Filing System can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official website for the Bankruptcy Court); and shall be filed by all other parties in interest, on a 3.5 inch disk or CD-ROM, preferably in Portable Document Format (PDF), WordPerfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), and served in accordance with General Order M-399 and in accordance with the Court's order dated May 23, 2012, implementing certain notice, case management and administrative procedures [Docket Entry No. 141] so as to be actually received no later than **August 7, 2012 at 4:00 p.m. (EST)**. Only those requests that are timely filed, served and received will be considered during the scheduled hearing.

The relief requested in the Motion may be granted without a hearing if no objection is timely filed and served in accordance with the Case Management Procedures.

Dated: Mineola, New York  
July 24, 2012

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